

nonbanking company complies with the standards in section 4 of the BHC Act, including whether the acquisition of the nonbanking company can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices" (12 U.S.C. 1843). Any request for a hearing must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than November 25, 1996.

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Forrest City Financial Corporation*, Forrest City, Arkansas; to become a bank holding company by acquiring 100 percent of the voting shares of Forrest City Bank, N.A., Forrest City, Arkansas. Forest City Bank currently operates as Forrest City Bank, FSB, and will convert to a national bank.

Board of Governors of the Federal Reserve System, October 24, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96-27754 Filed 10-29-96; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

[GSA Bulletin FTR 22]

Federal Travel Regulation; Texas State Court Decision Overturning Texas House Bill 2129 That Imposed a Hotel Occupancy Tax on the Federal Government and Federal Employees For Official Travel Performed in the State of Texas

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Notice of bulletin.

SUMMARY: The attached bulletin informs agencies of the recent Texas State court

decision which overturned a recently enacted Texas State hotel occupancy tax. The Texas State legislature enacted Texas House Bill 2129, effective September 1, 1995, which imposed a 6 percent hotel occupancy tax on the use or possession of a hotel room in the State of Texas on the Federal Government and on Federal employees lodging in the state while performing official government travel. On April 30, 1996, a Texas State court ruled that Texas House Bill 2129 was unconstitutional on the basis that the provisions taxing the Federal Government and Federal employees performing official travel violated Article VI, clause 2, of the U.S. Constitution (the Supremacy Clause), as well as Article VIII, section 1 and Article I, section 3 of the Texas State Constitution (the Equal Protection Clause). Agencies and their employees must no longer be assessed this tax while lodging in Texas on official government business.

SUPPLEMENTARY INFORMATION: Agencies may wish to issue internal guidance informing their employees who perform official travel in the State of Texas that the 6 percent Texas State hotel occupancy tax must not be paid. The General Services Administration is attempting to coordinate a refund of improperly collected taxes and will issue further guidance on this subject.

FOR FURTHER INFORMATION CONTACT: Calvin L. Pittman, General Services Administration, Travel and Transportation Management Policy Division (MTT), Washington, DC 20405, telephone 202-501-1538.

Dated: October 17, 1996.

Becky Rhodes,

Deputy Associate Administrator, Office of Transportation and Personal Property.

Attachment

Attachment

October 17, 1996.

TO: Heads of Federal agencies.

SUBJECT: Texas State court decision overturning Texas House Bill 2129 that imposed a hotel occupancy tax on the Federal Government and Federal employees for official travel performed in the State of Texas.

1. *Purpose.* This bulletin informs agencies of a recent Texas State court decision which overturned the Texas State hotel occupancy tax imposed on September 1, 1995.

2. *Background.* The Texas State legislature enacted House bill 2129 which imposed a 6 percent hotel occupancy tax on the use or possession of a hotel room in the State of Texas on the Federal Government and on Federal

employees lodging in the state while performing official government travel. Texas House Bill 2129 became effective on September 1, 1995. However, on April 30, 1996, a Texas State court ruled that Texas House Bill 2129 was unconstitutional on the basis that the provisions taxing the Federal Government and Federal employees performing official travel violated Article VI, clause 2, of the U.S. Constitution (the Supremacy Clause), as well as Article VIII, section 1 and Article I, section 3 of the Texas State Constitution (the Equal Protection Clause). See *La Quinta Inns, Inc. v. John Sharp*, No. 95-15739 (Dist. Ct. Tex., Apr. 30, 1996). Agencies may wish to issue internal guidance to inform their employees performing official travel in the State of Texas that the 6 percent Texas State hotel occupancy tax must not be paid.

3. *Expiration date.* This bulletin expires for administrative tracking purposes on April 30, 1997.

4. *For further information contact.* Calvin L. Pittman, General Services Administration, Travel and Transportation Management Policy Division (MTT), Washington, DC 20405, telephone 202-501-1538.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

HHS Management and Budget Office; Office of Facilities Services; Statement of Organization, Functions and Delegations of Authority

Part A, Office of the Secretary, Statement of Organization, Functions and Delegations of Authority for the Department of Health and Human Services is being amended at Chapter AM, HHS Management and Budget Office, Chapter AMQ, Administrative Services Center, as last amended at 57 FR 37823-24, 8/20/92. The change is to delete Chapter AMQ and replace with a new Chapter AMR, retitle the Administrative Services Center as the Office of Facilities Services and realign its functions. The changes are as follows:

Delete Chapter AMQ, "Administrative Services Center," in its entirety and replace with the following:

A. AMR.00 Mission. The Office of Facilities Services (OFS) provides leadership and direction for real property management operations and provides Department-wide policy